

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 19-12380
Mark Edward Danyo Judge: CMG
Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 07/06/2020
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ WHO

Initial Debtor: /s/MED

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 1,292.00 per month to the Chapter 13 Trustee, starting on August 1, 2020 for approximately 44 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,160.00
DOMESTIC SUPPORT OBLIGATION		
IRS	Taxes	\$677.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Quicken Loans - 1st mtg	309 Wayne Avenue, Pine Beach, NJ	\$7,022.19	0	\$7,022.19	\$2,053.64

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Toyota Financial Services	2015 Toyota Tacoma	\$17,643.00	\$15,000.00	\$17,643.00	\$15,000.00	6.5%	\$17,609.53

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Toyota Financial Services	2015 Toyota Tacoma	\$17,643.00	\$15,000.00	\$15,000.00	balance of lien and interest above 6.5%

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative Claims - William H. Oliver
- 3) Secured Claim
- 4) Priority Claims; 5) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 01/24/2019.

Explain below **why** the plan is being modified:
rejecting Toyota Motor Leasing auto lease

Explain below **how** the plan is being modified:
part 6: rejecting Toyota Motor Leasing auto lease

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 07/06/2020

/s/Mark Edward Danyo
Debtor

Date: _____

Joint Debtor

Date: 07/06/2020

/s/ William H. Oliver, Jr.
Attorney for Debtor(s)

United States Bankruptcy Court
District of New JerseyIn re:
Mark Edward Danyo
DebtorCase No. 19-12380-CMG
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 43

Date Rcvd: Jul 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 01, 2020.

db
518010813 +Mark Edward Danyo, 309 Wayne Avenue, Pine Beach, NJ 08741-1548
++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
518010812 +Bank Of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
518010815 +Barclays Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803
518010814 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
518133147 +Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L.,
6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
518186758 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
518010819 +Citibank/Sunoco, Po Box 6497, Sioux Falls, SD 57117-6497
518010818 +Citibank/Sunoco, Citibank Corp/Centralized Bankruptcy, Po Box 790034,
St Louis, MO 63179-0034
518010821 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
518010820 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
St Louis, MO 63179-0034
518010823 +Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
518010822 +Citicards Cbna, Citi Bank, Po Box 6077, Sioux Falls, SD 57117-6077
518179964 Credit First NA, PO Box 818011, Cleveland, OH 44181-8011
518010825 +Credit First National Association, 6275 Eastland Rd, Brookpark, OH 44142-1399
518010824 +Credit First National Association, Attn: Bankruptcy, Po Box 81315,
Cleveland, OH 44181-0315
518010826 +GC Servcies Limited Partnership, 6330 Gulfton, Houston, TX 77081-1108
518010829 +Quicken Loans, 662 Woodward Avenue, Detroit, MI 48226-3433
518030834 +Richard J. Tracy, III., Esq., 30 Montgomery Street, Suite 1205, Jersey City, NJ 07302-3835
518010831 +State of New Jersey, Division of Taxation, PO Box 245, Trenton, NJ 08602-0245
518028807 +TD Bank, N.A., Payment Processing, PO Box 16029, Lewiston, ME 04243-9507
518010836 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
(address filed with court: Toyota Financial Services, Attn: Bankruptcy, Po Box 8026,
Cedar Rapids, IA 52409)
518010837 Toyota Financial Services, 111 W 22nd St, Oakbrook, IL 60521
518076361 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,
Addison, Texas 75001-9013
518067413 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
518010838 +Toyota Motor Leasing, PO Box 105386, Atlanta, GA 30348-5386

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 30 2020 23:50:18 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 30 2020 23:50:17 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
518010827 E-mail/Text: sbse.cio.bnc.mail@irs.gov Jul 30 2020 23:49:44 Internal Service Revenue,
PO Box 7346, Philadelphia, PA 19101-7346
518010817 E-mail/PDF: ais.chase.ebn@americaninfosource.com Jul 30 2020 23:57:24 Chase Card Services,
P.O. Box 15298, Wilmington, DE 19850
518010816 E-mail/PDF: ais.chase.ebn@americaninfosource.com Jul 30 2020 23:56:52 Chase Card Services,
Correspondence Dept, Po Box 15298, Wilmington, DE 19850
518173757 E-mail/PDF: resurgentbknofications@resurgent.com Jul 30 2020 23:57:05 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
518184357 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 30 2020 23:57:30
Portfolio Recovery Associates, LLC, c/o Barclaycard, POB 41067, Norfolk VA 23541
518184416 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 30 2020 23:57:31
Portfolio Recovery Associates, LLC, c/o The Home Depot Consumer, POB 41067,
Norfolk VA 23541
518010828 E-mail/PDF: gecsed@recoverycorp.com Jul 30 2020 23:57:48 PayPal Credit, PO Box 105658,
Atlanta, GA 30348-5658
518010830 +E-mail/Text: bankruptcyteam@quickenloans.com Jul 30 2020 23:50:27 Quicken Loans,
1050 Woodward Ave, Detroit, MI 48226-1906
518068305 +E-mail/Text: bankruptcyteam@quickenloans.com Jul 30 2020 23:50:27 Quicken Loans Inc.,
635 Woodward Avenue,, Detroit, MI 48226-3408
518157166 +E-mail/Text: bncmail@w-legal.com Jul 30 2020 23:50:21 SYNCHRONY BANK,
c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
518010832 E-mail/Text: bankruptcy@td.com Jul 30 2020 23:50:19 TD Bank, Attn: Bankruptcy,
1701 Rt 70 E, Cherry Hill, NJ 08034
518010833 E-mail/Text: bankruptcy@td.com Jul 30 2020 23:50:19 TD Bank, Po Box 219,
Lewiston, ME 04243
518010834 E-mail/Text: bankruptcy@td.com Jul 30 2020 23:50:19 TD Bank, N.A., 32 Chestnut Street,
Po Box 1377, Lewiston, ME 04243
518010835 E-mail/Text: bankruptcy@td.com Jul 30 2020 23:50:19 TD Bank, N.A., 70 Gray Rd,
Portland, ME 04105
518166762 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 30 2020 23:58:11 Verizon,
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

TOTAL: 17

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 43

Date Rcvd: Jul 30, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 01, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 29, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation
rsolarz@kmlawgroup.com
Steven P. Kelly on behalf of Creditor QUICKEN LOANS INC. skelly@sterneisenberg.com,
bkecf@sterneisenberg.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William H. Oliver, Jr. on behalf of Debtor Mark Edward Danyo court docs@oliverandlegg.com,
R59915@notify.bestcase.com

TOTAL: 6